

App F 1A-4
Previous References

✓
1953-54
C M)

File No 143-53-
Serial Nos 1

Later References

LH 10 CSH-57

MYSORE GOVERNMENT SECRETARIAT

Serial Nos one

P 58.

Part B for March 1954

SUBJECT

Scale of fees for compounding
offences under the city Municipalities Act

WD 03555—GPB—25 000—2 7 53

To,

The Compiler,
Mysore Gazette
L 15727/ dated 2.3.54.

No H.C 108/53 Sd

Encl 2

From

The Municipal Commissioner,
City Municipality,
DAVANAGERE

To

The Secretary to Government,
Local Self Government and Planning Departments,
Mysore Government Secretariat,
BANGALORE 1

LC 75
fu
Sd P
16/11
J. J. J.

Sir,

Sub - Scale of Fee for compounding offences
under the City Municipalities Act

With reference to your letter No L 8699 dated
21-10-53 on the above subject, I write to enclose herewith
the statement of modifications etc received with your -
letter of dated 20-7-53, as desired

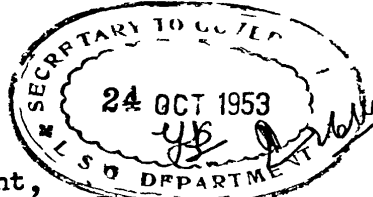
Forwarded

(B I Gopala Rao)
PRESIDENT,
CITY MUNICIPAL COUNCIL,
DAVANAGERE

Hsk Rao/



Date 22nd October, 53



Yours faithfully,

K Narasimhaiengar
(K Narasimhaiengar)
MUNICIPAL COMMISSIONER,
DAVANAGERE CITY MUNICIPALITY

[Signature]

No M5C 168-29/48
Encl

Office of the President
City Municipal Council Mysore

Date

20th Jan 1948

From

N S HIRANNAYYA Esq, M A,

President, City Municipal Council, 8 BRANCH
MYSORE

To 22/1

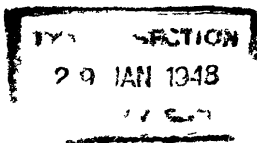
Syed Abdul Aleem, Esq, B A
Secretary to Government
Revenue Department
Bangalore

I have the honour to invite your kind
reference to the correspondence ending with this
office of letter of even number dated 4-10-47 re-
garding the above and to request that orders of
Government may kindly be obtained and communicated
very early, as the matter is pending from a long
time.

I have the honour to be,
Sir,
Your most obedient servant,

SIR

PRESIDENT



1) A letter calling for information
is forth

in
28/1/48 R.
28/1-48

2) 21 sub

for
28/1/48

The president = H.C.H.

13310 of 7-2/48

~~Directs him to direct orders~~
permits him to initiate the
information of the letter.

168-29/43.

OFFICE OF THE COMMISSIONER,
CITY MUNICIPALITY, MYSORE

Dated 14th February 1948.

N S HIRANNAYYA ESQ MA
Commissioner City Municipal Council
MYSORE

To

Syed Abdul Aleem Esq., B.A.,
Secretary to the Government of H.H. the Maharaja
of Mysore, Revenue Department,
Bangalore.

(Through the President, City Municipal Council, Mysore)

Sir,

With reference to your letter No. L.13310/47-48

dated 9-2-48 requesting to be intimated the subject
matter of the reference I have the honour to state that
the matter relates to the scale of fees for compounding
offences in Mysore City. As the subject is pending in
Government from a long time early orders are solicited

I have the honour to be,
Sir,
Your most obedient Servant

[Signature]
Municipal Commissioner.

msv.

3) A draft letter calling for the Municipal office
on the subject is put on

Re
19348

4) *[Signature]*
19348
To The Town Mysore City
15099 d 29-2-48
calls for the file

[Signature]
[Signature]

3 6156

From the president city Municipal to Mysore

in 3-168-29/43 dated 6-4-48

For the Municipal office file on scale of
Sec. for compounding offences in Mysore city

5) The Srs file is not to be used

6) A note on the subject is put up

^u
20/4/48

These acknowledge
the receipt of the file
of the Union Hunt Office
as sent by the
Hunt Comm and put
up again.

For
reference

A draft letter is put up

^u
20/4/48

10
Issue
For
23/4/48
The M. C. Mysore city
16341 of 27-4-48
Acknowledges the receipt
of the file
Resubmitted

Serial
No

Surg. - Composition of offences under
Section 194 (c) of the Mysore City Municipalities
Act - 1933

7) According to Section 194 (c) of the
Mysore City Municipalities Act, 1933, the
Municipal Council may compound any
offence against the Act or against any
Byelaw made thereunder, which may by
rules made by the Government be
declared compoundable

8) No rules have been framed so far
9) It is seen from the Municipal office
file that in September, 1940 - the Government
had called for suggestions from the
Mysore City Municipal Council about the
compounding of offences under the City
Municipalities Act, 1933.

10) As per this office letter no L 3763
dated 27-9-1943 - Government called for
a report from the President, Mysore City
Municipal Council as to whether the
scale of fees proposed by the Bangalore
City Municipal Council for compounding
offences, may be adopted or whether a
uniform penalty for compounding all
offences, at Rs 25 or Rs 50 - for each
offence may be prescribed

Page 2)

Serial
No

11) In his letter dated 2-6-1943, the president - Mysore City Municipal Council, forwarded a statement showing the scale of charges proposed by the Municipal Council for compounding offences, under the Act and the Byelaws framed thereunder. From this statement, it is seen that the Municipal Council is not in favour of adopting a uniform penalty of Rs 25 or Rs 50. for each offence.

13) The Municipal Council Mysore City has been requesting early orders on the above proposal.

14) In the procedure in this respect obtaining in the Civil Station Bangalore, reference is invited to Appendix 38 of the Bangalore Municipal Law, according to which the president of the Municipal Commission has been empowered to accept composition for all offences against the said Law, its Rules and byelaws.

Flag II)

Rules and Byelaws
Page 126

In
30/4/48
for
30/6

15) Bangalore City M.C. has now become merged in the Corporation. Therefore separate rules are therefore applicable.

7197 Scale of fees for Corporation Officers
in Mysore
to the Corporation

(b) Dewan gave her, now, become
a city officer. Hence any rules
issued under Sec 194 of the
city of this Act 1937 should be
of general applicability. The opinion
of that local body may be called
for before adopting the ~~rule~~ scale of
fees after putting my
question
- issue

Ans -
14/10/50

[Pl send to
enclosed copy -
I have indicated as
to whether of them should be
to the respective addresses]
20

The Municipal Commr
Dewangere is
L 7533/29 30/10/50
Call for information

Just
21/11/50
3m

The Municipal Commr
Mysore

Letter no M3 168-19/43 dated 15-1-1951,
requests early orders in the matter

7197 ^{5/19/51 ml}
Scale of fees for Comptroller
General Myer up 11/5

18) The views of the City Municipal
Council Duvangere was called
for in the matter ~~he has not~~
~~furnished~~ information has not
yet been received in the
matter A draft reminder is
put up for approval

Subd
n

24/1/51

1st To
27/1

19) Inequal
3/2

the Municipal Council
Duvangere City
(thru the President)
L 11707/51 87457

From

The Municipal Council, Duvangere City
no 14-C 22/51-52 dated 9 6 51

Furnishes the information called for

20) The Duvangere City Municipal Council considered
the subject at a meeting held on 30 4 51
They have approved the proposal of the Dy. Commr
City Municipal Council with minor modifications
and Request sanction of Govt. Here to, The
Scale of Composition fee proposed as for orders

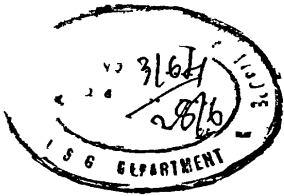
21) The power to Compose officers is
contained in Sec 194 of the Dy. Commr City
Municipalities Act 1933 clause (c) of the
Section enforces the framing of Rules by

Scale of fees for Compounding offences under
the city municipalities Act, 1933
the Government on this behalf no such
rules have been framed so far

22) Rules Regulating the proceedings
of the President of a Civil Station in
accepting composition under the B of Law
had been framed by the erstwhile Municipal
Commission of the Civil Station (Order
Appendix No 38 of the Rules and Bye-laws
under the B.M. Law - page 196) Rules
may perhaps be framed on the same
lines under the city municipalities Act
also under the statement flagged 'H'
- preserving the Rule as an appendix
applicable to the city municipalities of
Mysore and Davangere

23) Subs for orders.

Recd 26/6/31, Bf 139 27) 2/27/36



24) What are the modifications made
by the Davangere Htg. referred
to in the resolution dated 30/4/31?

2/27/36

12/7

3

25) The manuscript corrections under the
Resolutions of the Davangere Council
(statement flagged 'H') appear to be
the modifications made by the Davangere
city Municipal Council. However to
be assured of this, the Municipal Council,

1912/mt $\sqrt{3598}$ /mt

~~Dec~~ 16/7/51 be put up

~~2587~~ 26) $\frac{74}{617}$ 27) $\frac{28}{187}$

72
1917



for approval
B 287/51 PD

29) $\frac{27}{247}$

do

The Municipal Commr Davenport as-

My dear Hypocrites

2 4157/26751

Call for additional information

Sur A
1/S

Hy over

The Municipal Council Davao City

NO 14 C 22/51-52 dated 24 8 51

Forwards a list of corrections made
by the municipal council

30) The Statement of modifications is flagged "A"

31) Sales for personal and orders - Ref para 2.4 of the order (See) (M)

1293 / 12 | 9 | 5 |

Scay) 16/9/15



1264
J N

Scale of fee for compounding offences under
the city Municipalities Act

32) Put up dft rules & ndm as
instructed

208
2
17/9

33) A dft of rules and ndm to be
put up for the require to be
presented in the - Legislation Branch

34) Under sub sec (4), of sec 228 of the city
Municipalities Act Rules made under this
Act are subject to the condition of
previous publication and the Rules
in question may also require to be
so published

21/9/51

Secy
L.S.G.
21/9/51

35) Pl prepare dft schedule

208
22/9

36) A draft Schedule is prepared and
appended to the Rules. The dft Rules
are for approval after perusing in
the Legislation Branch.

In Kmg

26/9/51

26 SEP 1951

24/9/51

Asst Secy
Legislation
for

25/9

Scale of fees for Compounding
of offences under Act
Mentor's code Act -
1264

1912 $\sqrt{3598}$
ml ml

37) Section 194 appears to contemplate

three kinds of powers, namely:

- (a) Compromising with persons suspected to have committed offences
- (b) withdrawing from prosecutions instituted,
- (c) Compromising offences declared as Compoundable.

They relate to three different stages, the first before commencement of a prosecution and the second and third after such commencement.

Clause (c) of Section 194 empowers government to declare by rules the offences which are compoundable.

The proviso to the Section empowers government to make rules for regulating the proceedings of persons empowered to compromise offences under the Section.

Hence it seems that the rules can only declare the compoundable offences, and regulate the procedure for compromising under clause (a) of Section 194. They cannot in the absence of an express provision empower

Scale of fees for compromise of offences under the City Municipalities Act 1264
 them to determine the amounts which can be accepted while compromising or compounding offences, make provision in the rules determining the amounts so acceptable. It seems that under the Scheme of the Act, the Municipal Council is the competent authority to fix these amounts. Proposed rule (3) may therefore be omitted.
 30) Rule (1) is also unnecessary as it does not fall under the power of Government in Section 194.
 31) The rules, as revised, would therefore appear to be legally in order.

Aug 8/11/51

Mas 8/11/51

40) Rg 8/11/51

Law Secretary

41) Most of the corrections are suggested by the Legal Secy to improve. Better put up a clear draft as revised.

Sh Kng

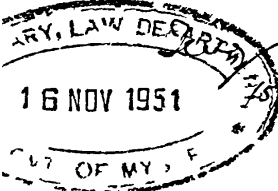
Mas 14/11/51

14/11

Rg 14/11/51

42) A typed draft is put up for consideration

3706



Mas 16/11/51

43) Rg 16/11

Law Secretary

1598
12

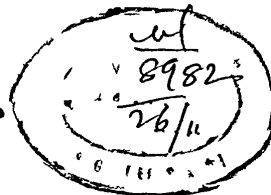
13

Scale of fees for Compounding offences
under the City Municipalities Act
1264/25.

44) The draft rules as revised by
the legal dept appear to be
legally unobjectionable & may
be adopted —

Secy (sg)

Mr
26/11/57
26/11



PLB 24

908

26/11

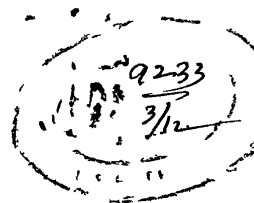
27/11

45) Received contributions, ex. person
from the Secretary, Dept. of
the Municipal Councils
of the various divisions & towns
put up for approval

Secy
2/12/57

3/12/57

Secy
2-59
31/11/57



46) Issue

908

4/12

Secy

50

The rd commr
Hydrom ch
(thru the pdt)

The rd commr
Davao ch
(thru the pdt)

Secy. A

L 9576-77/12 12-57
Enquiries whether it is necessary to issue
the Rules without fixing the Scale.

Serial
No

Proc

The Municipal Council, Mysore City
 No 173-168/43 dated 2/6-52

Resolves are enforcement called
 for

4) The Reply from the Municipal
 Council, Bangalore City Municipality
 is not yet received. It is perhaps
 desirable to wait for the opinion of
 the Bangalore City Municipal Council
 also and take a decision finally after
 considering both the Replies.

A Draft Resolution to the
 Municipal Council, Bangalore City
 is put up for approval

19/6/52
 8m
 20/6

48 Issue

21/6

ms A

L. 4190/dated 3-7-52
 Reminds

49 Issue another reminder

1/8

50 A D O reminder is put up for
 approval

23/10

8m
 23/10

51 Issue

27/10

The Hl. Commr. Bangalore City
 L. 12536 dated 8-11-52 (by name)
 Reminds

12/11/52

Scale of fees for Compounding offences
 under the ^{of 19} Municipalities Act
 General and Revenue
 Secretariat.

	Serial No	
52) ~~Yazoo~~ Do Reminders, ~~no~~ ~~are~~ ^{is} put-up for approval 28/11 80/ 20/1/53		793 / 14 1770
53) Issue 20/1/53 The Municipal Commissioner, B. Gue (by name) L 19337 dated 9-2-53 Reminders		✓ Surest 10/2/53
from the President, Khyber Pakhtunkhwa Council no H-168-29/43 dated 27-4-53 requests early action. 54) A drafted O reminder to the All Commr Dargah from whom a reply is due is put up for approval (55) Issue 16/5 20/1/53 80/ 19/5		✓ Surest
To Do No R 2824/52 12 A 16 53 16 the Commissioner, Dargah. Received letter no. H.C. 22/51-52 dated 9 6 53 from the Municipal Commr, Dargah, requesting return of certain records. (56) A draft letter is put up containing the statement to the Municipal Commissioner, Dargah, for reference and transmission 57) 80/ 17		✓ Surest

Serial
No

No L 4593/53-54 dated 20.7.53
to the Municipal Commissioner, Davanagere
calls for a reply

Received letter No G.C. 368/53-54
dated 21.9.53 from the Municipal Comm-
-issioner, Davanagere. States that Section
194 may be left as it is etc

58) The Municipal Commissioner, Davanagere,
States that Section 194 of the C.M. Act may
remain unaltered and that fixing of scales
of fee for compounding offences is not necessary.
The Municipal Commissioner has not returned
the records sent to him with our letter dated
20.7.53. They may be called for in the first
instance to enable a decision being taken there
regard to the opinion expressed by the
Municipal Council, Mysore, also

59) Call for the records if they are sent
Ans

5/10

Ans 5/10

60) Sub with a draft

G) Issue
Ans 12/10

9/10

The Municipal Comm. Davanagere
L 8699/21 10 53

Ans B

Scale of fees for Compounding Offences
under the City Municipalities Act

17 File No 4075/4634 of 195

General and Revenue
Secretariat

Serial
No

For

The Municipal Commissioner Davanagere
Letter no HE 108/55-4 d 22 10 13
Forwards her records asked for

Ref Para 45 & 46

62)

The Municipal Commissioner
Kopano CMC and the Council are of
opinion that it is desirable to fix
the scale for Compounding Offences

Page 11

63)

The Municipal Commissioner
Davanagere CMC is of opinion that
Section 194 of the CM Act may be
left as it is since it covers all
the cases generally and affords a wide
scope for discretion and no further
restrictions by way of fixing scales
appear to be necessary in the circumstances
enumerated. — For orders

Page 4

8/5/1

8/7/154

64) Where are the draft rules
applied by the Law Secy (Vide
Paras 45)

10/1

65) Kind refer to draft rules
put by 4 days for review by 4
Law Secy in Para 44

G

11/1

12/1

66) The draft rules may be applied
They are already submitted by the Law Secy
(Vide Paras 45 & 46)

10/1

scale & feel for Compensating of females
under the city Municipality Act [App F III-2

Mysore Government
Secretariat

4634/2nd

File No

of 195

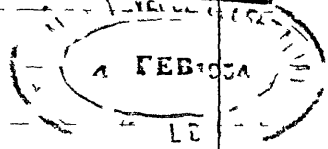
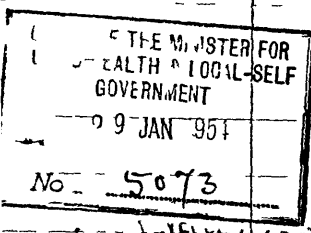
18

WD 03547-CPR-40 070-14 8 r3

Serial
No

7145

67) for general before issue



Handled 29/1 29/1
2/2/54

Issue

2/2/54

g

The draft rules (put up by Mrs. Lops Am) was submitted
in ^{Nov 52} 1951. It is for consideration whether it is to
be made a committee whether it is to be made a
modification or whether it is to be made as my issue

See
left

Done
File

Home rule L 15727 & 2/2/54 to be
Complete

B
4/3
or ap

File No

of 195

Mysore Government
Secretariat

Serial
No

With reference to your reminder
* No. MS C- 168-29/43 dated 20-1-48, I
am directed to request you to kindly
intimate the subject matter of the
reference in question.

13310/42-48
9/2/48
Shachin
for
J. A. Revenue Secy
Pr.
28-1-48

10

The Commission

City Municipality, Mysore

Large scale of fees for compounding offences
in Mysore city

Sir,

With reference to your letter do No-
168-29/43 d 14-2-48 I am directed to
request you to kindly forward the municipal
office file on the above subject.

I have to
for
for Mysore
B
19 2/48

Office of the President
City Municipal Council Mysore
Dated 6-4-1948

No. M3-168-29/43
End one file
From



91st and
P. S. Ramiah Esq. B.A. B.L.
President, City Municipal Council,
Mysore

To Syed Abdul Aleem Esq. B.A.
Secretary to Government
Revenue Department
Bangalore

Sir,

I have the honour to forward herewith the letter from
the Commissioner Mysore City Municipality, regarding
Scale of fees for Constabulary Officers in
Mysore City

I solicit the favour of

I have the honour to be
Sir,
Your most obedient servant,

Sd/- Abdul Aleem
President 6/4
6444

14/4
L. J. J. B. 14/4

Vo M3C 168-29/43.
Encl *me file*

4
OFFICE OF THE COMMISSIONER,
CITY MUNICIPALITY, MYSORE,
Dated 3rd April 48.

FROM

N S HIRANNAYYA ESQ MA
Commissioner City Municipal Council
MYSORE)

TO

Syed Abdul Aleem, Esq, B A.,
Secretary to the Government of His Highness
the Maharaja of Mysore, Revenue Department,
B a n g a l o r e

Sir, (*through, the president, (me Mysore)*)

Subject - Scale of fees for compounding
offences in Mysore City.

With reference to your letter No L 15099 dated
29-3-48 requesting to forward the office file on
the above subject I have the honour to enclose the
same and to request that its receipt may kindly be
acknowledged

I have the honour to be,

Sir,

Your most obedient servant,

N S Hirannayya
Municipal Commissioner.

PSK

~~Mysore City~~
Mysore City
(Through the President)
Sugg. - Scale of fees for compounding
offences in Mysore City

Sir,

I am directed to acknowledge the
receipt of the municipal office file
on the above subject, forwarded with
your letter no M 3-168-29/43 dtd 6-4-48

Yours truly
For ~~forwarded~~
Ja. Kereve Jey

3 copies
To £ 7 55 5 Statement
£ 20 10 30

The Municipal Commissioner
Davanagere City
(Under to President)

Sir,
I am directed to invite
your attention to see 194^(c) of
the Mysore City Municipal Act,
under which a Municipal Council

may compound any offence of any
the Act or any bylaws made thereunder
when any by rules made by the Council
be declared compoundable. The Mysore

of 1941 who were constituted in
to maintain have suggested a scale
of fees ^{compounding} leviable under the several
sections of the Act. The statement
in original recd from the City

of the MJ which contains the
minutes of the President, the Managing
Committee is sent herewith for
reference & return along with the
minutes of the Executive Committee of the
if the scale proposed therein may
be adopted for it would do to adopt a
uniform scale for all the officers coming within
the set of staff rules.

above, I am very sorry to be
inconsistent of for a long time.

Yours faithfully
A. N.

In reply to
L. S. D. P.

7556 P. & L. S. D. P.
730 of 10/30
memo. copy memo. to Mr. C. S.

My dear Sir, for information with the
intention that the issue of rules in

this behalf may be avoided. The
original file of his office ^{now at the} recd to his letter to
H3-168-23/23 is 6 - 10
returned
from the
secretary.

L. 7 555
Statement
Sd/- 30/10/50

L S G. Department, Bangalore

The Municipal Commissioner,
Davangere City Municipality,
(Through the President)

I am directed to invite your attention to Section 194(c) of the Mysore City Municipalities Act, 1933, according to which a Municipal Council may compound any offence against the Act or any Bylaws made thereunder which may by rules made by the Government be declared compoundable. The Mysore City Municipal Council who were ^{consulted} consented in the matter have suggested a scale of compounding fees leviable under the several Sections of the Act. The statement in original received from the President of the Municipality which contains his opinion and that of the Managing Committee is sent herewith for reference and return, along with the opinion of the Davangere City Municipal Council if the scale proposed therein may be adopted or it would do to adopt a uniform scale of levy for all the offences coming within the purview of the several Sections of the Act.

A set of draft rules under the above Section may also be submitted for the consideration of Government very early.

Yours faithfully,

Sd/- L. Muniswamy,

L. S. G. Secretary to Government

Memo No

7555
2 R

Sd/- 30/10/50

Copy of the above is forwarded, with compliments, to the Municipal Commissioner, Mysore City, for information with the intimation that the issue of rules on this behalf may be awaited. The original file of his office on the subject received with his letter No M3-168-29/43 dated 6th April 1948 is herewith returned.

By Order,

 L S G Secretary to Government

SR/3-

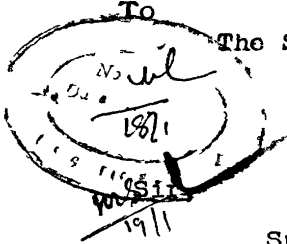
No.
Encls

M₃168-29
43-

CITY MUNICIPAL COUNCIL
Mysore, Dated 15th Jan 1951

From

THE MUNICIPAL COMMISSIONER
CITY MUNICIPAL COUNCIL



To
The Secretary to Government,
L S G Department,
Bangalore
(Through the President)

Subject - Compounding of offences

Adverting to the correspondence ending with
your memo No L 7556 dated 30-10-1950 on the above
subject, I have the honour to request that early
orders of Government may be communicated in the matter

Yours faithfully,

b. Narasimhaiah
Municipal Commissioner

Forwarded with compliments

T. Narasimhaiah

President

B

The Municipal Commission
Dawson City
B.C.

Sir,

I am directed
to invite reference to
this Min letter no 67535/
dated 30 10 1950 calling
for the views of the Council
in regard to the rules
for campaigning officers,
and to request that the
~~the views of the Council~~
~~may be kindly~~
~~a reply thereto~~ same

10 MA
DAVANGERE CITY MUNICIPALITY

No ~~45~~ 45 22/51 52
Encl 1 statement
From

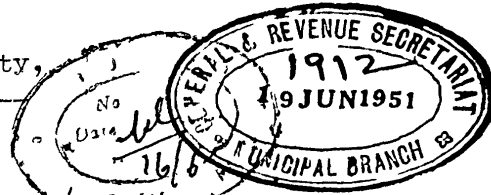
MUNICIPAL OFFICES,
DAVANGERE

Dated 9th June 1951

The Municipal Commissioner,
Davangere City Municipality,
Davangere

To

The Secretary to the Government of Mysore,
Local Self Government Department,
Bangalore



Sir,

SUBJECT CALLING FOR THE VIEWS OF THE COUNCIL IN
REGARD TO THE RULES FOR COMPOUNDING OFFENCES

With reference to your letter NO L 7555 dated 20-10-50 re-
garding above, I write to state that this subject was placed before
the meeting of the Municipal Council when it was resolved that the Bye-
laws of the Mysore City Municipal Council may be adopted with the
modifications now made. I request that sanction of Government may
kindly be obtained to the resolution of the Municipal Council dated
20-4-51.

A copy of the resolution of the Municipal Council and statement
in original relates to the Mysore City Municipal Council duly amended
by the Municipal Council are herein enclosed for reference.

Yours faithfully,

[Signature]
14/6
Municipal Commissioner,
Davangere City Municipality

IDR/

Reference

Examined by ~

may have
furnished very

Yours
JMS

for Henry to turn
in. L. A. Reynolds
10/11

10 MA
DAVANGERE CITY MUNICIPALITY

No ~~45~~ 45 22/51 52
Encl 1 statement

MUNICIPAL OFFICES,
DAVANGERE

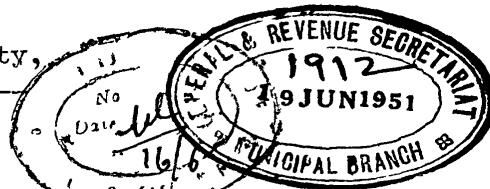
From

Dated 9th June 1951

The Municipal Commissioner,
Davangere City Municipality,
Davangere

To

The Secretary to the Government of Mysore,
Local Self Government Department,
Bangalore



Sir,

SUBJECT CALLING FOR THE VIEWS OF THE COUNCIL IN
REGARD TO THE RULES FOR COMPOUNDING OFFENCES

With reference to your letter No L 7555 dated 30-10-50 re-
garding above, I write to state that this subject was placed before
the meeting of the Municipal Council when it was resolved that the ~~Rule~~
Bye-laws of the Mysore City Municipal Council may be adopted with the
modifications now made. I request that sanction of Government may
kindly be obtained to the resolution of the Municipal Council dated
30-4-51.

A copy of the resolution of the Municipal Council and statement
in original relates to the Mysore City Municipal Council duly amended
by the Municipal Council are herein enclosed for reference.

Yours faithfully,

[Signature]
Municipal Commissioner,
Davangere City Municipality

MDR/

Examined by

Reference

[Signature]

WD 01000-G1 B-2000-9148

[Signature]
2077151

Proceedings of the special General meeting of the Davangere City Municipal Council held on 30-4-51 Monday in the Council Hall of the City Municipal Office

President Sri G Veerappa, B Sc ,LL B

x

SUBJECT

x

RESOLUTION

x

22 (2) Compounding of offences under the several sections of the City - Municipalities Act as per opinion furnished in this behalf by the City Municipal Council Mysore

M C M

Resolution No 2 dated 30-4-51

"Resolved that the draft Rules and Bye-laws of the Mysore City Municipal Council may be approved with the modification now made"

May be approved

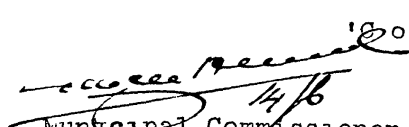
x

x

Sd/-G Veerappa

President

'C o p y '


Municipal Commissioner,
Davangere City Municipality

12

Appendix F G-1]

SUBJECT Scale of fee for corresponding officers under the city & Municipalities Act

Diary No of letter replied to

Section

File No

Serial No

No L 4154/26 Y 4
with enclosure
To

Publicity Office

()
the 194

The Municipal Council,
Davao City Municipal
(Chairman the body)

Date of issue

Sir,

Signed by

With reference to your
letter no. 4 of 22/51-52 dated
9-6-51 on the above subject,
I am directed to request
you to ^{be so good as to} furnish a statement
of modifications proposed in view
to the Resolution dated
30 4 51 of the Municipal
Council

List of enclosures

Copied by *AS 25/7/51*

The draft of the last
year Scale of the proposed City
Municipal Council
is also herewith enclosed for
reference and return
Zorro for AS

Examined by

27
AS 25/7/51
2077/51

13
1/3
3/9
DAVANGERE CITY MUNICIPALITY

No H C 22/51-52

MUNICIPAL OFFICES

Encl 2

DAVANGERE

From

Date 24th August 1951

The Municipal Commissioner,
Davangere City Municipality,
Davangere

The Secretary to Government,
Local Self Government Department,
BANGALORE

SUBJECT SCALE OF FEE FOR COMPOUNDING
OFFENCES UNDER THE CITY MUNICIPALITIES
ACT

34
Tel
1/9
ah
Sir,
With reference to your letter No L 4157 dated 26th July 1951, re furnishing a Statement of modifications referred to in the resolution dated the 30th April 1951 of the Municipal Council etc, I write to enclose herewith a statement of modifications referred to in the resolution dated the 30th April 1951 of the Municipal Council as called for

The draft of the list of the scale of fee proposed by the Mysore City Municipal Council is also herewith -

14
- 2 -

herewith enclosed for reference

Forwarded

[Signature]
President,
Davangere City Municipality

MDV

Yours faithfully,

[Signature]
MUNICIPAL COMMISSIONER,
Davangere City Municipality

[Signature]
24/8/51

G R S App F G 3]

GENERAL AND REVENUE
SECRETARIAT

~~(Continuation sheet draft form)~~

2 copies

10

no. 9876-77
14/12/51

To

- 1) The Municipal Council,
Mysore city Municipality
(Chairman as president)
- 2) The Municipal Council,
Davanagere city Municipality
(Chairman as president)

Subject: Scale of fee for
Corresponding Offices under
the city Municipalities Act

Sir

With reference to the
correspondence ending with
the marginally noted letters,
on the above subject, I
am directed to state that
there is no express provision in
the Act empowering Govt to
determine the amount that
can be accepted while corres-
ponding or Corresponding Offices
and therefore the maximum
and the minimum Scales cannot

Letter no M 3. 108-29/43
dated 15.1.51 from the
rel. Council, Mysore city
2) Letter no M 3. 22/51
dated 24.8.51 from the
rel. Council, Davanagere city.

to, as the proposed ^{Rules} ~~amendment~~
which the Galt ^{has to} ~~should~~ issue on this behalf.
I am therefore to ~~be~~ enquire
whether ~~the~~ it is desirable or
necessary to issue the Rules without
the Scale Temp prescribed

A very early Reply is Requested

Yours for the rule

20/11/12

J. H. S. G. Stey

1/12/51

31/12

17
2 7876-77
16/12/57

- 1 The Municipal Commissioner,
Mysore City Municipality
(thro' the President)
- XXX 2 The Municipal Commissioner,
Davangere City Municipality
(thro' the President)

Sir,

Subject. Scale of fee for compounding offence under the
City Municipalities Act
=====

With reference to the correspondence ending with the marginally*

- *1 Letter No V3 168-29/43
dated 15-1-51 from the
Municipal Commissioner,
Mysore City
2. Letter No. H C 22/51-52 dated
24th August 1951 from the
Municipal Commissioner,
Davangere City

noted letters, on the above sub-
ject, I am directed to state that
there is no express provision in
the Act empowering Government to
determine the amount that can be

accepted while compromising or

compounding offences and therefore the maximum and the minimum scales
cannot be prescribed in the proposed Rules which the Government has
to issue in this behalf. I am therefore to enquire whether it is
desirable or necessary to issue the rules without the scales being
prescribed

A very early reply is requested

Yours faithfully,

For Secretary to Government,
L S G. Department

knr-3/6.12

No. 168 29/43
Enc. 1/20

8

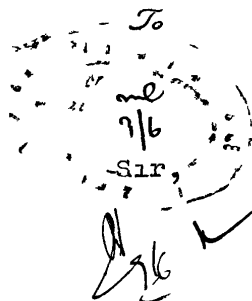
CITY MUNICIPAL COUNCIL
P B No 17

Mysore, Dated 20-5-52
2-6-1952.
4

From

THE MUNICIPAL COMMISSIONER
CITY MUNICIPAL COUNCIL

MYSORE



The Secretary to Government,
L S G Department, Bangalore
(Through the President)

Subject - Scales of fees for compounding offences

HA

With reference to your letter No L. 9876-77 dated 14-12-51 on the above subject, I write to state that the question was examined by the Legal Committee of the Council in detail. They opined - that it is desirable to fix the scales fixed by the Council in their resolution No 836/29-5-44 and recommended that the proposals made by the Council in this behalf may be accepted. The Council have duly approved of the recommendation of the legal committee made to this effect. Copies of the legal committee recommendation No 35/14-3-52 and also Council resolution No 78/10-5-52 in this behalf are enclosed.

As this is a proposal involving not only revenue to Municipality but also helpful in bringing under control expeditiously many - offences punishable under the City Municipalities Act, I request that orders of Government may kindly be obtained and communicated early.

Yours faithfully,

[Signature]

Forwarded with compliments,

A Krishnamurthy Rao

(A Krishnamurthy Rao)
President

&

(F M ABDUL RAHIM)
MUNICIPAL COMMISSIONER

4/6

Proceedings of the A-djourned Meeting of the Municipal Council
held in the Municipal Offices on 10-5-52 at 4 P.M.

78. Legal Committee res. No. 35 dated 14th March 52 on the letter No.L. 9876-77 dated 14-12-51 from the Secretary to Government L.S G Department, Bangalore enquiring the desirability of the issue of the rules regarding the compounding of offences under the City Municipalities Act, without prescribing the scales, that in the opinion of the Legal Committee it is desirable to fix up the scales as already approved by the Council in Council resolution No 836/29-5-44 and that the Government be requested to sanction the proposal already sent to Government

" Legal Committee recommendation approved "

Sd A Krishnamurthy Rao

President

Copy


For Municipal Commissioner

&

PSK.

Proceedings of the Legal Committee Meeting of the City
Municipal Council Mysore, held on Friday the 14th March 52 April
52 at 4.P.M. in the Municipal Offices.

953.

35. Def. Sub. No. 25/12-2-52 regarding letter No.L. 9876-77/14-12-52 from the Secretary, L.S. Department, Bangalore, intimating that there is no express provision in the Act¹ empowering Government to determine the scale of fees for compounding offence under the municipalities Act and enquiring whether it is desirable or necessary to issue the rules without the scales being prescribed, (Municipal Advocate's opinion that there is no necessity to fix any scale of fee as the amount of fee for allowing offences to be empowered is entirely within the discretion of the President or Commissioner, depending upon the circumstances of each case, is also put up)

In the opinion of the Legal Committee it is desirable to fix up scales as approved by the Council on previous occasions viz., Res. No 836/29-5-44 and the Government may be replied accordingly

Sd. P. Sitharamiah.
Chairman.

Copy.

Isvarayanaiah
For Municipal Commissioner

PSK

No M3.168-29
Encls 43

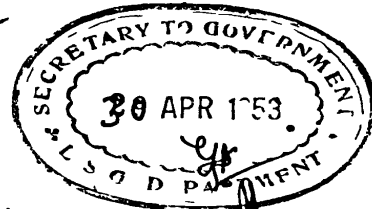
From



21
OFFICE OF THE PRESIDENT
CITY MUNICIPAL COUNCIL

Mysore, Dated --- 27th April, 1953.

THE PRESIDENT
CITY MUNICIPAL COUNCIL
MYSORE



To

The Secretary to Government,
L.S.G. & Planning Departments,
BANGALORE-1.

For Reply

Sir,

Subject - Scales of Fees for compounding offences.

I write to invite your kind reference to this office letter No M3. 168-29/43 dated 5-6-52 on the above subject, and request you kindly to obtain and communicate orders of Government early.

Yours faithfully,

T Venkata Ramaniah

(T. Venkataramanah).
PRESIDENT.

PSK.

mb 2-
27/4

No H C 22/51-52

Incl

From

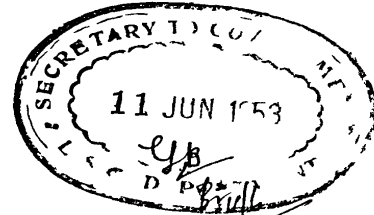


Municipal Offices

DAVANAGERE CITY

Date 9th June, 1953

793
9/11/53
1
The Municipal Commissioner,
City Municipality,
Davanagere



To

The Secretary to Government,
Local Self Government and Planning Departments,
BANGALORE

Sir,

Subject - Scale of fees for compounding offences under the
City Municipalities Act

Reference Your letter No L 2824 dated 1-6-53

-- 0 --

I write to state that from the available records in this office, it is seen that the draft rules proposed in this behalf and approved by the Municipal Council on 20-4-51 have been sent to you in original with this office letter No H C 22/51-52 dated 24-8-51. These original records are necessary for placing them before the Municipal Council and obtaining their views as required in your letter No L 9876-77 dated 14-12-51.

on copies thereof
I, therefore, request that the original records in the matter may kindly be sent to me so as to enable me to take necessary action in the matter.

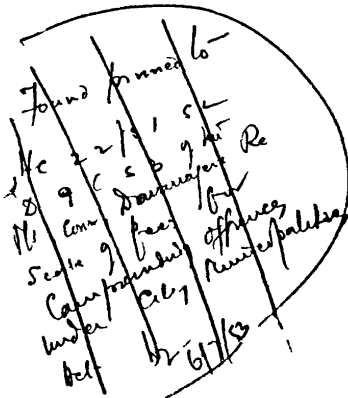
FORWARDED

(Signature)
(I Doddaveerappa)
PRESIDENT,
CITY MUNICIPAL COUNCIL,
DAVANAGERE

Yours faithfully,

(Signature)
(K Narasimhaiengar)
MUNICIPAL COMMISSIONER,
DAVANAGERE CITY MUNICIPALITY

HCK RAO/



SUBJECT

23

*Scale of fee for Compounding Offences under the
A.P. Municipalities Act*

Section

File No

Serial No

No

24593 / 20-7-53

Diary No of letter replied to

To

Encl one statement

General and Revenue Secretariat

()
the 195

The Municipal Commissioner,

Daramanga

Sir,

Date of issue

Signed by

With reference to
the correspondence relating to your
letter No HC 22/51-52 D 9 6 53 on
the subject mentioned above, I am
directed to return ^{herewith} for reference
and transmission with your reply,
the Statement of modifications etc,
received with your letter No HC 22/51 52
D 24 8 51

List of enclosures

Copied by

Examined by

I am to request that the
matter may kindly be expedited
Yours faithfully

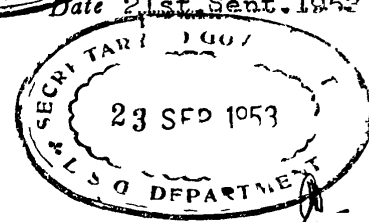
for L.S. G. Secy

No GC 368
Encl 53-24
From



24
Date 21st Sept. 1953

The Municipal Commissioner,
City Municipality,
DAVANAGERE



To

The Secretary to Government,
Local Self Government and Planning Departments,
Mysore Government Secretariat,
BANGALORE 1

Sir,

Sub - Scale of fee for compounding of offences under City
Municipalities Act

Ref - Your letter No L 4593 dated 20-7-53

With reference to the above subject, I write to state that Section 194 of the City Municipalities Act 1922 gives sufficient guidance for the compounding of Municipal offences and that a separate scale is not necessary since relative extenuating circumstances enumerated below, will have to be considered in fixing the compounding fee in each case

- 1 Each of the offences will have to be judged on ~~xxxx~~ its individual merits and the scale of compounding fee will be dependant on the gravity and circumstances of each offence committed
- 2 The magnitude of an offence committed as putting up of unauthorised construction across a public road or the triviality in cases of failure to put up a receptacle or failure to put up a trap door in a latrine will have to be considered in each case
- 3 It would be necessary many a times to impose heavy fees to serve as ~~to~~ an example for others not to commit such an offence e.g., illicit import of cigaretts into the City from the Bombay Frontier
- 4 The cases of first offenders or habitual offenders will have to be judged on its individual merits
- 5 The nature of punishment by way of fine or imprisonment which the Magistrate would award ~~after~~ case was adjudged in a court of law will have to be considered
- and
- 6 If the offence is of continuous nature which would justify a higher compounding fee ^{also} will have to be considered

Hence, I am of opinion that Section 194 of the City Municipalities Act may be left as it is since it covers ^{and affords a wide scope for discretion} all the cases generally and no further restrictions by way of fixing of scales etc appear to be necessary

B. I. Gopala Rao
Forwarded

(B I Gopala Rao)
PRESIDENT
MUNICIPAL COUNCIL
DAVANAGERE

Yours faithfully,
K. Narasimhaiah
(K Narasimhaiah)
MUNICIPAL COMMISSIONER,
DAVANAGERE CITY MUNICIPALITY

29/9/53

GENERAL AND REVENUE
SECRETARIAT

(Continuation sheet draft form)

Draft 25

No. 28699 / 53 SH - - -
21-10-53 D - - -To
The Principal Commissioner,
Barragore, (this job) - -Re,
Sub. Scale of fee
for compounding offences
under the C. R. Act. - -

With reference to the
correspondence herewith
your letter No. G. R. 368/53 SH
dated 21.9.53 on the subject
mentioned above, I am directed
to request that the statement
of modifications etc. submitted to
you with this office letter No. P. 16593-
53 SH dated 20.9.53 may kindly
be retransmitted as already
requested herein.

Yours faithfully,

Sd/- 12/11/53

For S. S. G. Sanyal

11/12/53

11/12/53

notes - 18
corresp - 20
